



THE CITY OF NEW YORK
LAW DEPARTMENT

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September 30, 2022

Via ECF

Honorable John P. Cronan
United States District Judge
Southern District of New York
500 Pearl Street, Room 1320
New York, New York 10007

Re: *Muniz v. City of New York*, et al.
Civil Action No. 1:20-CV-09223-JPC
Law Department No. 2020-046956

Dear Judge Cronan:

I am an Assistant Corporation Counsel in the Office of the Honorable Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, representing Defendants, the City of New York and New York City Police Department Inspector John Mastronardi (collectively, "Defendants"), in the above-referenced case. In accord with Your Honor's Individual Rules of Practice, I write to respectfully request that the deadline for Defendants to file their motion for summary judgment be extended by two weeks, from October 4, 2022, to October 18, 2022; that Plaintiff Johnny Muniz ("Plaintiff") be given until November 8, 2022, to respond in opposition to the motion for summary judgment; and that Defendants be given until December 5, 2022, to file their reply in support thereof. Plaintiff consents to the requested extension. This is Defendants' third request for a two-week extension of their deadline to move for summary judgment.

The extension is being sought because of workload issues, including a very high volume of other employment-related matters in both federal and state court. These other matters include three COVID-19-vaccine-related cases this week alone. Consequently, I request two additional weeks in which to prepare an appropriate motion for summary judgment. The parties are not currently scheduled to appear before the Court, and the requested extension would not affect any other scheduled dates in this litigation.

I thank the Court for its consideration of these requests.

Respectfully submitted,

/s/

Zachary T. Ellis

Assistant Corporation Counsel

cc: All Counsel of Record via ECF

The request is granted. Defendants shall file their motion to dismiss by October 18, 2022. Plaintiff shall file his response by November 8, 2022. Defendants shall then file their reply, if any by December 5, 2022. As this is Defendants' third request for an extension of time, no further extension of Defendants' deadline to file their motion for summary judgment will be granted absent extraordinary reasons.

The Clerk of Court is respectfully directed to close the motion pending at Docket Number 53.

SO ORDERED.

Date: October 3, 2022

New York, New York

A handwritten signature in black ink, appearing to read "John P. Cronan", written over a horizontal line.

JOHN P. CRONAN

United States District Judge